

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	Criminal No. G-19-02
	§	
WARREN C. CLARK	§	
(defendant)		

Motion for Agreed Scheduling Order

COMES NOW, the United States of America by and through RYAN K. PATRICK, United States Attorney for the Southern District of Texas, Assistant United States Attorneys Craig M. Feazel, S. Mark McIntyre, Department of Justice Trial Attorney Michael Dittoe, and Mike DeGeurin Sr., and submits the following agreed proposed scheduling order.

The United States along with the attorney of record for the defendant, Mike DeGeurin Sr., respectfully request that the Court set a status conference within approximately sixty (60) days, and require that any filing under the provision of Section 4 of the Classified Information Procedures Act, 18 U.S.C. App. III (CIPA), be filed within approximately Ninety (90) days of the date of this order. The Government and the Defense believe that this schedule will provide sufficient time to address subject matters presented on the record at the scheduling conference held on March 21, 2019 at 10:00 a.m.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney

By: /S/ Craig M. Feazel
Craig M. Feazel
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Houston, Texas 77002

/S/ S. Mark McIntyre
By: Stephen Mark McIntyre
Assistant United States Attorney
(713) 567-9000

/S/ S. Michael Dittoe
By: Michael Dittoe
United States Department of Justice
Counter-Terrorism Section

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above agreed proposed scheduling order was sent to Michael DeGeurin Sr., on this the 25th day of March, 2019.

/s/ Craig M. Feazel
Craig M. Feazel
Assistant United States Attorney

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Scheduling Order

This Court, having previously found that this case is complex under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A)(B) & B (ii), set a status conference with respect to discovery and matters arising under the Classified Information Procedures Act (CIPA), 18 U.S.C. App. III, for March 21, 2019. At that hearing, the parties set out their respective positions that, due to the complexity of this matter, more time was required to conduct discovery, to prepare pre-trial motions, and to prepare for trial.

After consideration,

It is hereby ORDERED that a status conference is set for MAY 23, 2019, at 10:00 a.m. in Galveston, Texas in order to gage the progress of the parties in the discovery process.

It is further ORDERED that the government shall file, *ex parte* and *in camera*, any motion it deems necessary under the provisions of CIPA Section 4 by

JUNE 27, 2019.

It is further ORDERED that, in order to assist the Court in ruling on the government's CIPA Section 4 motion, the defense shall file, *ex parte* and *in camera*, its theory of defense by JUNE 27, 2019.

The Court finds that the continuance of the trial date in this case, to allow for the filing of motions and additional time to prepare this complex case for trial, satisfies the ends of justice and outweighs the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In addition, the Court finds that the period for the filing of the aforementioned pleadings is excludable time under 18 U.S.C. § 3161(h)(1) of the Speedy Trial Act. After the Court receives the aforementioned submissions, the Court will set another status conference to establish a motions deadline and to set a trial date.

Signed on this _____ day of March 2019, at Galveston, Texas.

Hon. George C. Hanks, Jr.
United States District Judge
Southern District of Texas, Galveston